



# RECORDS RETENTION AND DISPOSITION SCHEDULE

## SPECIFIC SCHEDULE NO. 201-401

### DEPARTMENT OF EDUCATION

### POLICY AND COMMUNICATIONS

The schedule on the attached page(s) is approved with agreement to follow the records retention and disposition policies listed below:

AGENCY APPROVALSTATE APPROVAL

AGENCY HEAD OR DEPUTY

STATE RECORDS ADMINISTRATOR

AGENCY RECORDS OFFICER

COMPTROLLER OR DEPUTY

EFFECTIVE SCHEDULE DATE SEP 27 2007

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**POLICIES FOR RECORDS RETENTION AND DISPOSITION**

1. This schedule is continuing authority under the provisions of the Virginia Public Records Act, §§ 42.1-76, et seq. of the *Code of Virginia* for the retention and disposition of the records as stated on the attached page(s).
2. This schedule supersedes previously approved applicable schedules.
3. This schedule is used in conjunction with the *Certificate of Records Disposal* (Form RM-3). A signed RM-3 must be approved by the designated records officer and on file in the agency or locality before records can be destroyed. After the records are destroyed, the original signed RM-3 must be sent to Library of Virginia (LVA).
4. Any records created before the Constitution of 1902 came into effect (January 1, 1904) must be offered, in writing, to the LVA before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from the LVA. A copy of the offer must be attached to the RM-3 form when it is submitted to the LVA.
5. All known audits and audit discrepancies regarding the listed records must be settled before the records can be destroyed.
6. All known investigations or court cases involving the listed records must be resolved before the records can be destroyed. Knowledge of subpoenas, investigations or litigation that reasonably may involve the listed records suspends any disposal or reformatting processes until all issues are resolved.
7. The retentions and dispositions listed on the attached page(s) apply regardless of physical format, i.e., paper, microfilm, electronic storage, optical imaging, etc. Unless prohibited by law, records may be reformatted at agency or locality discretion. Microfilming must be done in accordance with §§ 17VAC15-20-10, et seq. of the *Virginia Administrative Code*, "Standards for the Microfilming of Public Records for Archival Retention." All records must be accessible throughout their retention period in analog or digital format. Whether the required preservation is through prolongation of appropriate hardware and/or software, reformatting or migration, it is the obligation of the agency or locality to do so.
8. Custodians of records must insure that information in confidential or privacy protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Normally, destruction of confidential or privacy-protected records will be done by shredding or pulping. "Deletion" of confidential or privacy-protected information in computer files or other electronic storage media is not acceptable. Electronic records must be "wiped" clean or the storage media physically destroyed.
9. Under the *Virginia Public Records Act*, (§ 42.1-79) the Library of Virginia is the official custodian and trustee of all state agency records transferred to the Archives, Library of Virginia. The Library may purge select records in accordance with professional archival practices in order to ensure efficient access.
10. Unless otherwise directed, files are closed out at the end of each calendar or fiscal year as appropriate. Retention periods start at that time.



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RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<u>Assessment of State and Federal Mandates</u> This series documents the Department of Education's review and assessment of the various statutory requirements on local governments.	009112	Retain 5 years then destroy.
<u>Copyright Materials</u> This series documents requests for permission, whether granted or denied, by DOE or of DOE, to use copyrighted materials. Includes the tracking log.	009113	Retain 5 years then destroy.
<u>Correspondence Schools</u> This series consists of general correspondence and information regarding correspondence schools and enrollment statistics. Also includes annually filed affidavits.	009114	Retain 3 years then destroy.
<u>Requests for Waivers for Pre-Labor Day Opening</u> This series consists of requests from school divisions to open prior to Labor Day and approval or disapproval by Department of Education. <i>Code of Virginia</i> 22.1-79.1	009115	Retain 5 years then destroy.
<u>Statement of Compliance with the Standards of Quality</u> This series documents local school division compliance with the Standards of Quality as defined in <i>Code of Virginia</i> 22.1-253.13. Information becomes part of DOE's annual report to the General Assembly.	009116	Retain 5 years then destroy.
<u>Student Advisory Committee (SAC) Applications</u> This series consists of applications from students across the state requesting to participate in the 12-member Student Advisory Committee. The SAC students serve for one school year, offering recommendations from a student perspective to the Board of Education.	009534	Retain until end of fiscal year then destroy in compliance with No. 8 on the schedule cover page.